

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

STATE FARM FIRE & CASUALTY
COMPANY,

Plaintiff,

vs.

JAY H. WARD AND LAURA A.
WARD,

Defendants.

CV 21-07-M-DLC-KLD

ORDER

Plaintiff State Farm Fire & Casualty Company (“State Farm”) and Defendants Jay and Laura Ward have stipulated to certain facts and to expedited procedures in this case. In this declaratory action, the parties seek resolution of a single issue: whether State Farm Homeowners Policy No. 26-BG-T770-2 provides coverage for injuries sustained by Defendant Laura Ward as a result of Jay Ward’s negligence. The parties have stipulated that this issue is purely an issue of law; that no discovery or experts are needed; and that the matter can be resolved on cross-motions for summary judgment to be filed immediately. The parties request special, expedited proceedings tailored to this single-issue dispute.

Based on the parties’ stipulations, IT IS HEREBY ORDERED:

1. The parties agree to resolve the legal issue in this declaratory matter on cross-motions for summary judgment, with State Farm filing the opening

brief on or before February 22, 2021. The subsequent three briefs will be filed in accordance with the in the Federal Rules of Civil Procedure and the Local Rules.

2. Other pretrial processes required by Rule 26, F.R.Civ.P., and the Local Rules are suspended based on the parties's stipulations.
3. The scheduling order (Doc. 3) dated January 12, 2021 is VACATED, and the requirements set forth in that Order are vacated, including the filing of pretrial documents and the attendance at a pretrial conference on April 13, 2021.

DATED this 5th day of February, 2021.



Kathleen L. DeSoto
United States Magistrate Judge